

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 360630

SITE DEVELOPMENT PERMIT NO. 8318
CENTRAL POLICE FACILITY - PROJECT NO. 4955 (MMRP)
CITY COUNCIL

This Site Development Permit is granted by the Council of the City of San Diego to City of San Diego, Engineering and Capital Projects Department Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504. The 16.8-acre site is located at 4002-4008 Federal Boulevard in the in the RS-1-7, RM-1-1 and OR-1-1 Zones of the Central Urbanized Planned District within the Mid-City Communities Plan area. The project site is legally described as portions of the west half of Lot 20, Horton's Purchase of Ex-Mission Lands, Map No. 283; Lots 1-9, Block 35 of Marilou Park, Map 517; portions of Blocks 40 and 41, Marilou Park, Map 517; Lots 15, 16 and 24-38, Block 32, Marilou Park, Map 517.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to relocate and construct a new Canine/SWAT Police Facility and construct a new Central Police Vehicle Maintenance Facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated September 23, 2003, on file in the Development Services Department. The exhibits are identified as follows:

- | | |
|--------|------------------------------------|
| I-1: | Code Evaluation |
| I-2: | Code Occupancy Exit Plans |
| C1: | Concept Civil Site Plans |
| A1-4: | Architectural Site Plans |
| A5-8: | Vehicle Maintenance Facility Plans |
| A9-10: | SWAT/Canine Facility Plans |

The project or facility shall include:

- a. The relocation and construction of a new Canine/SWAT Police facility, including a 6,500 square foot one-story office building, an approximately 40,000 square-foot training field, 6,000 square feet of kennel space and 66 surface parking spaces;
- b. The construction of a new Police Vehicle Maintenance facility, including an approximately 28,000 square foot, two-story structure containing administrative offices, storage space, a repair and body shop, and an oil lubrication site. The facility will also include a fuel station, two 10,000 gallon underground storage tanks, an emergency generator, vehicle wash bay and an eighty-eight (88) space surface parking lot;
- c. Construction of a new 900 square foot community meeting room.
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking facilities; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted Community Plan, California Environmental Quality Act, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the Municipal Code in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.

3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit A. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. This Permit may be developed in phases. Each phase shall be constructed prior to lease to individual tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase (per the approved exhibits, dated September 23, 2003).

11. The temporary modular offices for the Canine/SWAT facility shall be replaced with the permanent planned office structure by September 23, 2009.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.

13. As conditions of Site Development Permit No. 8318, the mitigation measures specified in the MMRP, and outlined in the MITIGATED NEGATIVE DECLARATION NO. 4955 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

14. The Permittee/City Department shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the MITIGATED NEGATIVE DECLARATION NO. 4955 satisfactory to the City Manager and the City Engineer. All MMRP requirements shall be shown on the construction plans and specifications. Prior to the issuance of Notice to Proceed with construction, all conditions of the MMRP shall be adhered to to the satisfaction of the City Manager and City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

- Biological Resources
- Noise
- Historical Resources
- Paleontological Resources
- Hydrology/Water Quality
- Human Health/Public Safety/Hazardous Materials

15. A Job Order number open to the Land Development Review Division of the Development Services Department shall be required to cover the Land Development Review Division's cost associated with the implementation of the MMRP.

16. The project biologist shall submit a final report to the Environmental Review Manager (ERM) at the end of the 120-day establishment period which provides an assessment and quantification of the success of the transplantation of the snake cholla plants impacted. If the required 1:1 ratio is not met, a new report shall be issued at the end of each subsequent 120-day establishment period until the success criteria are met. If at the end of three years, a 100 per cent success rate has not been achieved, the applicant shall coordinate with City biology staff to

identify an appropriate alternative transplantation location within the property boundaries. If this occurs, a new establishment period shall be implemented until the success rate has been achieved

17. The project biologist shall monitor the coyote access to the site during construction and identify alternatives, if needed to preserve coyote access.

ENGINEERING REQUIREMENTS:

18. The owner/applicant shall address all engineering issues including water quality Best Management Practices. The Capital Improvement Project Manager shall also coordinate the FEMA issues with the Drainage and Floodplain Management section of Engineering and Capital projects Department.

19. The owner/applicant shall provide permeable surface and landscaping breaks in the parking lots and fully implement energy savings/LEED standards.

20. A Conservation Easement shall be granted and recorded over the approximately 6.0 acres of created Open Space designated and OR-1-1 zoned property and the approximately 3.35 acres of existing Open Space.

21. The owner/applicant shall reserve an easement over the required sight visibility area for the westerly driveway as shown on plans. The easement will restrict any future installation of walls, landscaping, street trees that are over two (2) feet in height.

22. The owner/applicant shall improve the street portion along the frontage at Federal Boulevard to create forty (40) feet of pavement width and install standard sidewalk, curb and gutter, street lights on the north and south sides in accordance with the City's Street Design Manual, satisfactory to the City Engineer. The south side improvements shall be phased as funding is available.

23. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

24. The developer shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be re-designed.

LANDSCAPE REQUIREMENTS:

25. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit has been granted by the City. All plan specifications and notes mentioned in the conditions below shall be consistent with the Land Development Code

142.0401 and Landscape Standards, Landscape Development Plan, Brush Management Plan, Details and Notes on file in the Office of the Development Services.

26. All required landscape plant materials shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

27. If any required landscape improvements (including existing or new planning, hardscape, landscape features, etc.) are damaged or removed during demolition or construction, they shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager, within 30 days of damage and prior to any Certificate of Occupancy.

28. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape and irrigation plans on duplicates of improvement plans shall be submitted to the City Manager for approval. Plans, details and specifications (including maintenance specifications), and landscape Improvement plans shall indicate each street tree by station points and staking in the field with a lodge pole tree stake prior to any utilities stub-outs. Tree stakes shall remain in place until trees are planted. Street trees shall be provided adjacent to the site on Home Avenue and adjacent to the site on Federal Boulevard and continuing past to the Sunshine Bernadini Field.

29. All tree locations shall have a 40 square feet minimum area around each tree's root zone, which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of any tree. During improvement activities the locations of all trees shall be identified with a lodge pole tree stake and inspected by the field engineer prior to the installation of any wet or dry utility stub-outs and placement of any pavement.

30. Prior to issuance of any engineering permits for grading, landscape construction documents (including irrigation plans) for slope planting, erosion control, re-vegetation and hydroseeding shall be submitted to the City Manager for approval.

31. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation plans, details and specifications (including maintenance specifications), shall be submitted to the City Manager for approval.

32. Prior to building permit approval, the owner/permittee shall submit a site plan, improvement plan, landscape and irrigation plan (detail and specification) that indicate significant landscape screening in front of proposed 3 foot solid and 3 foot open fence.

33. Prior to building permit approval, the owner/permittee shall submit a site plan, improvement plan, landscape and irrigation plan (detail and specification) that indicate one 24 inch box street

trees every 30 feet in the right of way along the two street frontages. Provide a five (5) foot width and 40 square feet of growing area required for tree root zone.

PLANNING/DESIGN REQUIREMENTS:

34. Approximately 225 off-street parking spaces for the existing and proposed police facilities shall be maintained on the property at all times in the approximate locations shown on the approved Exhibits "A," dated September 23, 2003, on file in the Office of the Development Services Department. Parking spaces shall comply at all times with requirements of the Land Development Code and shall not be converted for any other use unless otherwise authorized by the City Manager.

35. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

36. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

37. Prior to a certificate of occupancy for the vehicle maintenance facility, the Police Department will present the pistol range buildings to the Historic Resources Board for possible designation as a historic resource.

38. The vehicle maintenance facility shall be situated on the site so that the two-story office portion be the prominent feature at the corner of Home Avenue and Federal Boulevard.

39. Police Department canines shall be prohibited from entering the open space habitat area.

40. Prior to the issuance of any occupancy permits for this project, the applicant shall demonstrate compliance with the following requirements consistent with the Mid-City Communities Plan and the Chollas Creek Enhancement Plan (CCEP), in a manner satisfactory to the Planning Department:

- a. The final project design shall place an emphasis on incorporating a plaza area with a combination of enhanced landscaping, lighting, public artwork and a community identification entry monument at the intersection of Home Avenue and Federal Boulevard, in a manner satisfactory to the Planning Department, and will implement the purpose and intent of the adopted Community Plan.
- b. The project shall be set-back a minimum of twenty (20) feet from the existing rim of Chollas Creek (as determined by Planning Department staff), and shall assure restoration of the creek's basin and edges through replanting of the area with the recommended list of plants found in the Chollas Creek Enhancement Plan (CCEP).

- c. The project shall utilize landscaping concepts (in accordance with recommendations found in the Chollas Creek Enhancement Plan) along the western portion of the project site to provide enhanced screening of vehicle maintenance bays and surface parking areas, and shall include fast growing riparian trees in addition to plant species that are typical of wetland creek environments, native to the San Diego area, and/or drought tolerant. The selection and location of such landscape enhancements and features shall be to the satisfaction of the Planning and Development Services Departments, shall be implement the Chollas Creek Enhancement Plan and shall be coordinated with the community. Further, trees in accordance with the recommendations of the Chollas Creek Enhancement Plan shall be planted along the base of the northern slope of the project site.
- d. All landscaping for the project shall be designed and utilized to avoid long expanses of surface parking on site.
- e. The project shall enhance pedestrian movement along Home Avenue and Federal Boulevard by providing minimum of five (5) foot wide sidewalks, pedestrian ramps and a crosswalk at the street corner, shade-producing street trees and enhanced landscaping along the project frontage. Further, the design of the sidewalks for this project shall be in substantial conformance with the historic design of sidewalks on adjacent properties including location, width, elevation, scoring pattern, texture, color, and material. The preservation of the historic design shall include the saw cutting of any historic sidewalk stamp and re-use of the stamped blocks in the new sidewalks.
- f. Community space for neighborhood meetings and activities shall be incorporated within the project site itself.
- g. For purposes of public safety, hazardous materials and/or flare storage shall not be located in a visually prominent location within the project site, nor located within close proximity to Home Avenue and Federal Boulevard.
- h. The applicant shall provide city staff with certified and approved engineering drawings that identify appropriate pre- and post-construction Best Management Practices (BMP's) to ensure compliance with the City's Storm Water Regulations.
- i. The applicant shall be responsible for completing the undergrounding of all overhead utilities within the project site boundaries.
- j. All publicly-owned land shall be managed by an open space district and shall be maintained through the San Diego Police Department.

- k. In an effort to implement the land use plans in effect for this area, all landscaping and site development plans for this project shall be submitted to the Planning Department for review.
- l. Any revisions to the project shall be presented before the City Heights Area Planning Committee for their recommendation, and prior to implementation of any such revisions.

41. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

42. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Refuse and Recyclable Materials Storage Regulations (Land Development Code Section 142.0801) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."

STORMWATER REQUIREMENTS:

43. All runoff from the vehicle wash-bay shall be diverted with full containment and recycled with zero discharge to the storm drain of untreated water.

44. The project shall have secondary containment (trench drains), for the vehicle bays so that any materials that could spill shall be captured. The trench drains shall have oil/water separator and captured water shall be treated via the tertiary system.

45. Filtration for the project shall be a tertiary process with the sub-surface water and surface water going from underground piping or surface to:

- a. Grassy Swales
- b. CDS Pumps with synthetic pillow inserts
- c. Storm drain inlets with synthetic pillow inserts

46. All of the infrastructure associated with the underground fuel storage tanks must meet the standards established by Assembly Bill 2481 and receive a hazardous materials permit from the County Department of Environmental Health and the Fire Department. The tanks must be tested yearly.

47. Flows from the dog kennel washings shall be funneled into the sewage collection system. Officers shall clean up wastes on the grassy walking field. Dog run areas shall be contained so that runoff is treated.

48. The Police Department shall be responsible for proper maintenance of site Best Management Practices.

INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the City Council of the City of San Diego on September 23, 2003 by Resolution No.*****

AUTHENTICATED BY THE CITY MANAGER

By _____

The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

City of San Diego
Owner/Permittee

By _____

By _____

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**